

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF ALABAMA
EASTERN DIVISION

R.A.Jr., (a minor child, by and through his)
Father and next best friend, Richard Lemmel)
Arnold,)
Plaintiff,)
v.) Case No.: 3:06-CV-337-WHA
DEPUTY SHERIFF WALTER LACEY,)
in his official and individual capacity)
Defendant.)

PLAINTIFFS' JURY INSTRUCTION NUMBER 5

**PMCIV-FJPI § 7-2.9
§ 7-2.9. Causation, one cause**

An injury or damage is proximately caused by an act, or a failure to act, whenever it appears from the evidence in the case that the act or omission played a substantial part in bringing about or actually causing the injury or damage; and that the injury or damage was either a direct result or a reasonably probable consequence of the act or omission.

GIVEN _____

REFUSED _____